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PATENT
Attorney Docket 054800-5015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Roderic Dale et al.**

Application No. **09/408,761**

Filed: **September 29, 1999**

For: **Methods for Production of Arrays with
Modified Oligonucleotide and Polynucleotide
Compositions**

Examiner: **Marianne Allen**

Group Art Unit: **1631**

Mail Stop RCE

U.S. Patent and Trademark Office
2011 South Clark Place
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Arlington, VA 22202

REQUEST FOR CONTINUED EXAMINATION (RCE)

This is a request for continued examination (RCE) under 37 C.F.R. 1.114 of U.S. Application 09/408,761 entitled Methods for Production of Arrays with Modified Oligonucleotide and Polynucleotide Compositions.

1. Please consider and enter the attached Amendment under 37 C.F.R. 1.114.
2. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for an additional three-month extension of time further extending the period for response from September 27, 2003 to December 27, 2003 with the filing of this request. If Applicants have inadvertently overlooked the need for additional extension of time, please consider this a Petition therefor. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
3. Fee Calculation (37 C.F.R. 1.16)

CLAIMS AS AMENDED						
	Remaining		Previous	Extra	Rate	Total Fees
Total	12	minus	20	10	\$18 each=	0.00
Independent	1	minus	3	0	\$86 each=	0.00
First presentation of Multiple dependent claim					\$290.00	0.00
SUB-TOTAL =						0.00
Reduction by 1/2 for filing by a small entity						
TOTAL FEE =						\$0.00

12/30/2003 AUSDNAF1 00000010 500310 09400751

01 FC:2201 365.00 00
02 FC:2253 475.00 00


4. Fee Payment: The Commissioner is hereby authorized to charge **\$1,185.00** to Deposit Account No. 50-0310 for payment of the request for continued examination filing fee (\$385.00) and the additional three-month extension of time fee (\$800.00).
5. Please address all correspondence to:

Customer Number: 009629
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

6. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **Constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Date: **December 24, 2003**
Morgan, Lewis & Bockius LLP
Customer No. **009629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Respectfully submitted,
Morgan, Lewis & Bockius LLP



Robert Smyth
Registration No. 50,801



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AMENDMENT UNDER 37 C.F.R. 1.114

This request for continued examination is filed in response to the Office Action dated December 24, 2002. Applicants previously filed a Notice of Appeal with a petition for a two-month extension of time on May 27, 2003 extending the period for response from March 24, 2003 to May 24, 2003. Subsequently, Applicants filed a response with a petition for a two-month extension of time further extending the period for response from May 27, 2003 to September 27, 2003. Therefore, this request for continued examination is being filed with an accompanying petition for an additional three-month extension of time further extending the period for response from September 27, 2003 to December 27, 2003. An authorization to charge the deposit account of the undersigned to cover the costs of the filing fee and extension of time fee is attached.

Applicants respectfully request consideration and entry of the following amendments:

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.